REMARKS

Claims 1-7 and 10-16 remain pending in this application. Claims 1-7 and 10-16 are rejected. Claims 8 and 9 are previously cancelled. Claims 12 and 13 are amended herein to address matters of form unrelated to substantive patentability issues. The use of the term "thereby" is removed as it is unnecessary in setting forth the invention in the claim. This change does not change the scope of the claims or their subject matter and hence cannot constitute new grounds for rejection. Claim 11 is amended to improve the form of the language and not to effect a change is subject matter or scope and hence cannot constitute new grounds for rejection. New claims 17-19 are added.

INTERVIEW ACKNOWLEDGMENT

The applicant and applicant's attorney appreciate the Examiner's granting of the telephone interview conducted on March 19, 2009 and extend their thanks to the Examiner and his primary examiner for their time and consideration.

In arranging the interview the finality of the present Office Action came into question. Applicant's attorney submitted that the finality was premature because new rejection grounds were set forth and the independent claims were merely amended to incorporate subject matter of dependent claims 8 and 9 and address formal issues not bearing on claim scope. Hence, the independent claims

represented the subject matter of the dependent claims unchanged, and hence stood as unamended versions of the dependent claims themselves.

The dependent claims incorporated into the independent claims were rejected as obvious over the obvious over the Jokipii reference in view of the Kuwana reference under 35 U.S.C. §103(a). Priority was perfected hence removing the Kuwana reference and overcoming the prior art based rejection without change the content of the rejected claims 8 and 9, now moved into the independent claims. Agreement was reached that the finality of the present Office Action .

Further details of the interview discussions are presented below in relation to the pertinent subject matter of the Office Action.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102(b)

Claims 1, 5, 6, 12, and 13 are rejected under 35 U.S.C. § 102(b) as being anticipated by the Jokipii ('960) reference. Applicant herein respectfully traverses these rejections. "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." ***Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.***, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). It is respectfully submitted that the cited reference is deficient with regard to the following.

In the interview it was explained that while the '960 reference teaches many types of data being stored for the gaming system, it does not teach the following:

> discarding-time storage means for storing a tile discarding time for each rank,

Agreement was reached that the '960 reference did not teach this feature or the following:

> the participation receiving means receives the identification information of the players and reads the ranks corresponding to the received identification information of the players from the rank storage means, and the proceeding means reads the tile discarding time corresponding to the rank read by the participation receiving means from the discarding-time storage means, and conducts the competition game in accordance with the read tile discarding time.

Thus, since the '960 reference does not teach the correlation of player rank to tile discard time, it cannot anticipate the rejected claims.

In view of the above, it is respectfully submitted that claims 1, 5, 6, 12, and 13 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1, 5, 6, 12, and 13 and their allowance are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 2, 3 and 11 are rejected as obvious over the '960 reference under 35 U.S.C. §103(a). Claims 4 and 7 are rejected as obvious over '960 reference in view of the Stephenson ('237) reference under 35 U.S.C. §103(a). Claims 10 and 14-16 are rejected as obvious over '960 reference in view of the Kim ('642) reference under 35 U.S.C. §103(a). The applicant herein respectfully traverses this rejection.

For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

It is respectfully submitted that the proffered combination of references cannot render the rejected claims obvious because the secondary references do not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary '960 reference. In particular, during the interview it was agreed that the Kim reference did not teach the correlation of the tile discard time to the player rank. Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Therefore, reconsideration of the rejections of claims 2-4, 7, 10 and 14-16 and their allowance are respectfully requested.

NEW CLAIMS

New dependent claims 17-19 are added and are submitted as patentable over the cited art of record and are submitted as patentable based on the subject matter cited therein in addition to the subject matter of their respective base claims. As noted above, the applied art does not teach correlating tile discard time to player rank. Hence, it follows, the art cannot teach an extension of such a discard time.

NEXT ACTION CANNOT BE MADE FINAL

It is further noted that the above discussed features of the independent claims were present in the originally filed claims. As such, the present amendments cannot necessitate new grounds for rejection as the present rejections are respectfully submitted as failing to have been established.

REQUEST FOR EXTENSION OF TIME

Applicants respectfully request a one month extension of time for responding to the Office Action. **The fee of $130.00 for the extension is provided for in the charge authorization presented in the PTO Form 2038, Credit Card Payment form, provided herewith.**

If there is any discrepancy between the fee(s) due and the fee payment authorized in the Credit Card Payment Form PTO-2038 or the Form PTO-2038 is missing or fee payment via the Form PTO-2038 cannot be processed, the USPTO is hereby authorized to charge any fee(s) or fee(s) deficiency or credit any excess payment to Deposit Account No. 10-1250.

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In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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